IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 1ST AUGUST 2007 / 10TH SRAVANA 1929

WP(C).No. 23048 of 2004(M)

PETITIONERS:

1. P.K.GOPALAN, S/O.KARUPPAN,
   PATHAPPILLY HOUSE, MALAYATTOOR P.O.

2. B.R.DIVAKARAN, S/O.RAGHAVAN,
   BLAYI HOUSE, MALAYATTOOR.

3. P.S.NARAYANAN, S/O.SEKARAN,
   PARAKKATT HOUSE, MALAYATTOOR.

4. N.S.VIDHYADHARAN,
   S/O.SUKUMARAN, NOCHUMANNIL HOUSE,
   MALAYATTOOR.

5. C.T.SATHEESAN, S/O.THANKAPPAN,
   KOLAKKA HOUSE, MALAYATTOOR.

BY ADV. SRI.P.GEORGE WILLIAM
SRI.O.F.JUSTIN
SMT.N.D.DEEPA

RESPONDENTS:

1. THE PRESIDENT, MALAYATTOOR-NEELISWARAM
   GRAMA PANCHAYAT, P.O.NEELESWARAM,
   PIN-683 574.

2. THE DISTRICT MEDICAL OFFICER,
   ERNAKULAM.

3. THE CHIEF ENVIRONMENTAL ENGINEER,
   KERALA STATE POLLUTION CONTROL BOARD,
   GANDHI NAGAR, COCHIN-682 020.

4. THE HEALTH INSPECTOR,
   PRIMARY HEALTH CENTRE, KALADY.

5. ANTONY, S/O.MATHEW,
PUTHENVEEDU, NEELESWARAM P.O.

6. JOHNSON, S/O.PAPPU,
THANIKKAPARAMBIL HOUSE,
NEELESWARAM P.O.

BY ADV. SRI.G.GOPAKUMAR,SC, KSPCB
SRI.PEEYUS A.KOTTAM -- R6
SRI.DINESH MATHEW J.MURICKEN – R1
SRI.BABU JOSEPH KURUVATHAZHA,
SRI. M.K. CHANDRAMOHAN DAS, SC FOR POLLUTION CTRL. BRD.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 23048/2004

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE REPRESENTATION DT. 12/3/04 TO THE PRESIDENT AND THE SECRETRY OF MALAYATTOOR GRAMA PANCHAYAT.

EXT.P2. COPY OF THE REPRESENTATION DT. 4/6/04 TO THE R4.

EXT.P3. COPY OF THE REPRESENTATION DT. 15/6/04 TO THE GRAMA SABHA OF THE R1.

EXT.P4. COPY OF THE REPRESENTATION DT. 3/7/04 TO THE R2.

EXT.P5. COPY OF THE REPRESENTATION DT. 3/7/04 TO THE R2.

RESPONDENT'S EXHIBITS

EXT.R1: COPY OF THE RESOLUTION DT. 29/3/04.

EXT.R1A. COPY OF THE COMMUNICATION SENT BY THE MEDICAL OFFICER IN CHARGE TO THE P1 DTD. 16/7/04.

EXT.R6(1). COPY OF THE APPLICATION FOR LICENSE SUBMITTED BY THE PETITIONER BEFORE THE R1 DT. 19/8/03.

EXT.R6(2). COPY OF THE LETTER BY THE R2 TO THE PANCHAYAT DATED 31/08/04.

EXT.R6(3). COPY OF THE REPRESENTATION BY THE R6 BEFORE THE R2.

EXT.R6(4). COPY OF THE REPRESENTATION BY THE PETITIONER DTD. 3/12/2004.

True copy

tga

KURIAN JOSEPH J.

W.P.(C) No.23048 of 2004

Dated 1st August, 2007.

J U D G M E N T

Petitioners approached this Court with certain grievances regarding the alleged pollution caused by the party respondents. There is already an interim order dated 2.3.2005, safeguarding the interests of the petitioners. In case the petitioners have still any grievance left, they may approach the respondents 1 and 3, in which case, appropriate action in accordance with law, in order to abate the pollution, will be taken with notice to the affected parties also, within another three months.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

tgs

KURIAN JOSEPH, J.

O.P. NO. OF 200

J U D G M E N T

Dated 1st August, 2007.